

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LLOYD GILPIN,

Defendant.

8:05CR171

ORDER

Defendant Lloyd Gilpin (Gilpin) appeared before the court on June 2, 2006, on an Petition for Warrant or Summons for Offender Under Supervision (Report) (Filing No. 41). Gilpin was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through his counsel, Gilpin waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that Gilpin should be held to answer for a final dispositional hearing before Judge Laurie Smith Camp.

The government moved for detention. Through counsel, Gilpin declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Since it is Gilpin's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Gilpin has failed to carry his burden and that Gilpin should be detained pending a dispositional hearing before Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 3:00 p.m. on June 12, 2006.** Defendant must be present in person.

2 Defendant Lloyd Gilpin is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 2nd day of June, 2006.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge